



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

WK:GSM  
F. #2021R00137

*271 Cadman Plaza East  
Brooklyn, New York 11201*

May 18, 2021

By Email and ECF

Kannan Sundaram  
Federal Defenders  
One Pierrepont Plaza, 16th Floor  
Brooklyn, NY 11201

Re: United States v. Ryan Behar  
Criminal Docket No. 21-187 (RPK)

Dear Mr. Sundaram:

Enclosed please find a proposed plea agreement, which constitutes a plea offer that must be communicated to your client promptly. Missouri v. Frye, 132 S. Ct. 1399, 1408 (2012); see also N.Y. Rules of Prof'l Conduct R. 1.4(a)(1)(iii). This proposed plea agreement contains all the terms of the government's plea offer, and it supersedes any prior plea offers that may have been made. This plea offer expires after June 29, 2021, and may be revoked by the government, in its sole discretion, at any time before its expiration. If your client rejects the plea offer and is convicted after trial, your client's sentencing exposure under the relevant statutes and Sentencing Guidelines is likely to be higher after trial than if the proposed plea agreement were to be entered.

Additionally, please note that the government awaits your response to the proposed stipulation and protective order, pursuant to Federal Rule of Criminal Procedure 16(d), which it provided to you on April 29, 2021. The government stands ready to produce

additional discovery materials pursuant to the proposed order once it is signed by you and so ordered by the Court.

If you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,

MARK J. LESKO  
Acting United States Attorney  
Eastern District of New York

By: /s/ Garen S. Marshall  
Garen S. Marshall  
Assistant U.S. Attorney  
(718) 254-6569

cc: Clerk of the Court (RPK) (by ECF) (without enclosures)